

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹

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ORDER REGARDING PROCEDURES FOR DECEMBER 15-16, 2021, OMNIBUS HEARING

The Court will conduct an omnibus hearing on certain motions in the above-captioned cases and related adversary proceedings (the “Hearing”) beginning at **10:00 a.m. (Atlantic Standard Time) (9:00 a.m. Eastern Standard Time)** on **December 15, 2021**. The Hearing will be conducted on **December 15, 2021**, from **10:00 a.m. to 12:50 p.m. (Atlantic Standard Time)**, resume if necessary, from **3:10 p.m. to 5:00 p.m. (Atlantic Standard Time)**, and continue if necessary on **December 16, 2021**, beginning at **9:30 a.m. (Atlantic Standard Time)**.

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Time). In light of the ongoing COVID-19 public health crisis, the Court will conduct the Hearing virtually using videoconferencing and telephonic platforms as set forth herein. The Hearing shall be governed by the following procedures.

Registration for videoconference; Listen-In Facilities for attorneys, Members of Public and Press

1. Videoconferencing via Zoom. The Court will conduct the Hearing using the audio and video features of the Zoom platform as a virtual courtroom. An invitation to register will be sent by the Court to Hearing participants who have registered their appearance by filing an Informative Motion in accordance with paragraph 3 below. Parties must respond to the invitation to register for Zoom access. Approved parties will receive the link and additional login information to join the virtual proceeding. To optimize performance of the Zoom platform and in the interest of avoiding excessive billing of fees, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) and the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) shall each be limited to four attorneys appearing in the Zoom session at any given time, and each other Party (as defined in paragraph 4(a) below) will be limited to two attorneys appearing at any given time. The Court will circulate the Zoom link prior to December 15, 2021, to persons properly registered to participate by Zoom. **Only persons who are identified in properly submitted Zoom registration documents, including a Party Appearance Sheet, will be permitted to appear at the Hearing.** Recording and retransmission of the proceedings by any means are prohibited. All proceedings will be conducted in the English language as required by law. 48 U.S.C. § 864. No interpretation services will be provided by the Court for the Hearing.

2. Listen-Only Access to the Hearing. Attorneys, members of the public, and press may **listen to but not view or participate in** the Hearing by dialing (888) 363-4749

and entering the access code (7214978) and security code (6975) when prompted. This telephonic access line for the press and the general public will be in listen-only mode at all times. Recording and further broadcasting of the proceedings by any means remain prohibited.

3. Registration to Participate in the Hearing via Zoom.

a. Parties-in-interest represented by counsel. Counsel for any party-in-interest (each, a “Party”) that wishes to participate in the Hearing must register an appearance by filing an Informative Motion, no later than **December 10, 2021 at 1:00 p.m. (Atlantic Standard Time)**, identifying (a) the Party for which they intend to appear, (b) the name(s) and email address(es) of the attorney(s) who will appear, and (c) identify the Hearing matter(s) in connection with which the party-in-interest may wish to be heard. Counsel must annex a Party Appearance Cover Sheet (the form of which is attached as Exhibit A to this Order) as Exhibit A to the informative motion.

b. Parties not represented by counsel. Any individual Party not represented by counsel who wishes to participate in the Hearing must file an Informative Motion, no later than **December 10, 2021 at 1:00 p.m. (Atlantic Standard Time)**, identifying (a) the Party name, (b) the name and email address of the individual appearing, and (c) the Hearing matter in connection with which the party-in-interest may wish to be heard. Each Party must annex a Party Appearance Cover Sheet (the form of which is attached as Exhibit A to this Order) as Exhibit A to its informative motion.

Pre-Hearing Filing Deadlines

4. Party-in-interest Informative Motion and Party Appearance Cover Sheet.

In accordance with paragraph 3, a party-in-interest must file an informative motion by **December 10, 2021 at 1:00pm (Atlantic Standard Time)**. Each Informative Motion must be

accompanied by a Party Appearance Cover Sheet, otherwise, the Party will not be registered to participate in the proceedings via Zoom.

5. Agenda. An agenda outlining the matters to be addressed and the projected timetable for the Hearing shall be filed by Debtors' counsel by **December 13, 2021**, in accordance with the Fifteenth Amended Case Management Procedures. (See Docket Entry No. 17127-1 § III.M.) The agenda shall also include (a) the names of the individuals who intend to appear and speak on behalf of each relevant party in connection with each motion or report, (b) the order in which the parties to the relevant motion shall present argument, and (c) time allocations for each party. Debtors' counsel shall file a revised agenda on **December 14, 2021**, if circumstances have changed or if requested to do so by the Court. Debtors' counsel shall email a proposed agenda, including preliminary time allocations, to the Court by **December 10, 2021, at 5:00 p.m. (Atlantic Standard Time)**.

6. Exhibits or Demonstratives. To the extent that a Party intends to rely on exhibits and/or demonstratives at the Hearing, it shall file a separate informative motion using the Exhibit Cover Sheet (the form of which is attached as Exhibit B to this Order) by **3:00 p.m. (Atlantic Standard Time)** on **December 13, 2021**. The informative motion must (i) include the Exhibit Cover Sheet and (ii) include each exhibit and/or demonstrative as a separate, text searchable attachment. The naming convention of each exhibit must adhere to the specifications indicated on the Exhibit Cover Sheet.

7. Status Reports. Given the lack of physical public access to the Hearing and to further promote transparency and public access to accurate and current information, the Oversight Board and AAFAF shall file, by **5:00 p.m. (Atlantic Standard Time)** on **December 14, 2021**, written status reports. The Oversight Board's report shall address (a) the general status

and activities of the Oversight Board, including measures taken in response to the COVID-19 pandemic, (b) the general status of relations among the Oversight Board and the Commonwealth and federal governments, (c) the general status of work toward plans of adjustment for PREPA and HTA, including anticipated timing, and (d) the general status of the ADR and ACR processes, including the anticipated number of matters to be directed into the ADR process and anticipated timetable for initiation of ADR procedures with respect to such matters. AAFAF shall provide a general status report on its status and activities, including an overview of the Commonwealth's ongoing response to the COVID-19 pandemic. At the Hearing, the Court will ask counsel to the Oversight Board and AAFAF to respond to questions and comments, if any, related to their respective status reports.

8. Courtroom Formalities. All persons granted remote access to the proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of this prohibition may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. The formalities of a courtroom must be observed. When appearing by Zoom, each counsel or pro se party must be situated in such a manner as to be able to view the video screen and be seen by the Court. Each Party's camera must be turned on when addressing the Court or examining a witness (if necessary). Those appearing by Zoom may be removed from the virtual courtroom if they do not comply with this Order. During the Hearing, individuals who are registered to participate via Zoom are directed to observe the following rules:

- a. The following naming conventions must be used by Zoom participants for admission to the Zoom virtual courtroom. For example:

- i. Attorney participants: [Party Represented (abbreviations may be used)] / [Last Name of Attorney, First Name of Attorney] / [Law Firm/Government Office].
 - a. PARTY A / Doe, John / ABC Law Firm, or
 - b. XYZ Agency/ Doe, Jane / Office of the ABC Government
- ii. Pro se participants: Pro se / [Last Name, First Name].
 - a. For example: Pro se / Doe, Jane
 - b. Identify yourself if asked to do so.
 - c. Identify yourself by name each time you speak.
 - d. Mute yourself when you are not speaking to eliminate background noise.
 - e. Turn off your video unless you are speaking or otherwise directly involved in the argument or examination, unless the Court directs otherwise.

SO ORDERED.

Dated: December 7, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge